

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/1/2024
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHARLES R. MACKENZIE,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION, et al.,

Defendants.

21-CV-5711 (LTS) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

On February 21, 2024, this Court directed the parties to submit a "joint status letter" in advance of the conference scheduled for May 7, 2024. (Dkt. 63.) The joint status letter was due on April 30, 2024. Instead of a joint status letter, the Court received two separate letters. Defendants' counsel writes that "Plaintiff was in depositions and informed Defendants that he would submit his own letter." (Dkt. 64 at 1.) Plaintiff's counsel writes that "[t]he reason why this letter could not be submitted jointly is that the parties could not timely agree on certain language to be included in a joint status letter." (Dkt. No. 65 at 1.) Additionally, plaintiff's counsel states that he "unfortunately is not available for the scheduled May 7th status conference," and asks that the conference be rescheduled to a date as early as May 3, 2024 – but does not indicate whether he conferred with defendants' counsel about the rescheduling of the conference, as required. (Dkt. 65 at 1.)

When the Court directed the parties to file a joint status letter, that was not a suggestion. It was an order. Here are two more:

1. The noncompliant letters at Dkts. 64 and 65 are STRICKEN.
2. No later than **May 3, 2024**, the parties shall file a *joint status letter*, no longer than 4 pages in the aggregate (exclusive of exhibits), *see* Moses Ind. Prac. § 1(d), in which they (a) outline the progress of discovery to date, as well as (b) any settlement efforts,

and (c) inform the Court of any new disputes requiring the Court's attention. The parties are reminded that they parties are reminded they must meet and confer in good faith before seeking judicial resolution of any remaining scheduling or discovery disputes. If the parties are unable to agree upon the content of the joint letter, they shall divide it into three sections, corresponding to the three topics set forth above, and within each section they shall allocate an equal number of lines of text to each side.

Dated: New York, New York  
May 1, 2024

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**